

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY DOCKET NO. P08599US00/BAS US APPL. NO. (If known. see 37CFR 1.5) 10/528,833
INTERNATIONAL APPLICATION NO. PCT/EP03/12398	INTERNATIONAL FILING DATE 26 September 2003	PRIORITY DATE CLAIMED 27 September 2002
TITLE OF INVENTION: METHOD FOR ASSAYING REPLICATION OF HBV AND TESTING SUSCEPTIBILITY TO DRUGS		
APPLICANT(S) FOR DO/EO/US: DURANTEL		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<p><input type="checkbox"/> 1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p><input checked="" type="checkbox"/> 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371.</p> <p><input type="checkbox"/> 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p><input type="checkbox"/> 4. The US has been elected (Article 31).</p> <p><input type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> <input type="checkbox"/> a. is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> b. has been communicated by the International Bureau <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p><input type="checkbox"/> 6. An English translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <input type="checkbox"/> a. is attached hereto. <input type="checkbox"/> b. has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> c. is not needed since the International Application is in English. </p> <p><input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <ul style="list-style-type: none"> <input type="checkbox"/> a. are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> b. have been communicated by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> d. have not been made and will not be made. </p> <p><input type="checkbox"/> 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p><input checked="" type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p><input type="checkbox"/> 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).</p>		
Items 11. to 20. below concern document(s) or information included:		
<p><input checked="" type="checkbox"/> 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p><input checked="" type="checkbox"/> 12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.</p> <p><input type="checkbox"/> 13. A preliminary amendment.</p> <p><input type="checkbox"/> 14. An Application Data Sheet under 37 CFR 1.76.</p> <p><input type="checkbox"/> 15. A substitute specification.</p> <p><input checked="" type="checkbox"/> 16. Statement regarding Sequence Listing.</p> <p><input checked="" type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 37 CFR 1.821-825.</p> <p><input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).</p> <p><input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).</p>		
20. Other items or information:		
<p><input checked="" type="checkbox"/> Return Receipt Postcard.</p> <p><input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.</p> <p><input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c).</p> <p><input checked="" type="checkbox"/> Preliminary Amendment and Statement regarding Sequence Listing Requirements and Computer Diskette</p>		

Date: June 16, 2006

U.S. APPLICATION NO. (If known) 10/528,833		INTERNATIONAL APPLICATION NO. PCT/EP03/12398	ATTORNEY DOCKET NO. P08599US00/BAS	
The following fees have been submitted:			CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 21. Basic national fee (37 CFR 1.492(a)) \$300 <input type="checkbox"/> 22. Examination fee (37 CFR 1.492(c)) <input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0 <input type="checkbox"/> All other situations \$200			\$	
<input type="checkbox"/> 23. Search fee <input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0 <input type="checkbox"/> Has been paid on the Int'l Appln. to the USPTO as ISA \$100 <input type="checkbox"/> International Search Report prepared and provided to the Office \$400 <input type="checkbox"/> All other situations \$500			\$	
TOTAL OF 21, 22 AND 23			\$	
<input type="checkbox"/> SIZE FEE: sheets - 100 = ÷ 50 = [rounded up] × \$250 =			\$	
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) \$130			\$130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	- 20 =		X \$50 =	\$
Independent Claims	- 03 =		X \$200 =	\$
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360 =	\$
TOTAL OF ABOVE CALCULATIONS =			\$	
<input type="checkbox"/> Applicant claims small entity status - 37 CFR 1.27. Fees above reduced by ½.			\$	
SUBTOTAL =			\$	
<input checked="" type="checkbox"/> Extension of Time \$120			\$120	
TOTAL NATIONAL FEE =			\$	
<input checked="" type="checkbox"/> Fee for recording enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property			\$40	
TOTAL FEES ENCLOSED =			\$290	
05/23/2003 MKM/PATRICK 00000097 10528833 01 PTO-1390 130.00 00			Amount to be Refunded \$ Charged \$ <input checked="" type="checkbox"/> Payment of \$290 is made by attached Credit Card Payment Form (PTO-2038) <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required for this submission (except claims fees if the box below is checked) or credit any overpayment to Deposit Account No. 12-0555. <input type="checkbox"/> Do not charge any claim fees now - any additional claims fees will be paid with the Missing Requirements.	
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
POWER OF ATTORNEY & CORRESPONDENCE ADDRESS: CUSTOMER NO. 00881 Date: June 16, 2006		NAME: B. Aaron Schulman REG. NO.: 31,877 Signed (for) by:  REG. NO.: 31,877		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,833	David Durantel	P08599US00/BAS

881
 STITES & HARBISON PLLC
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 ALEXANDRIA, VA 22314

COPY

5-16-2006

INTERNATIONAL APPLICATION NO.	
PCT/EP03/12398	

I.A. FILING DATE	PRIORITY DATE
09/26/2003	09/27/2002

CONFIRMATION NO. 3759
 371 FORMALITIES LETTER



OC000000018299961

Date Mailed: 03/16/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/23/2005
- Copy of the International Search Report filed on 03/23/2005
- Copy of IPE Report filed on 03/23/2005
- Preliminary Amendments filed on 03/23/2005
- Biochemical Sequence Listing filed on 03/23/2005
- U.S. Basic National Fees filed on 03/23/2005
- Priority Documents filed on 03/23/2005

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

COPY

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,833	PCT/EP03/12398	P08599US00/BAS